IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 2694 OF 2004

Kamal Kumar Sharma ..Plaintiff

versus

Zillion Finance Pvt. Ltd. & Ors. ..Defendants

Mr. A. Y. Bookwala, Mr. C.S. Balsara i/b. A. Ankhad & Associates for the Plaintiff.

Mr. Prasad Rao for the Defendant Nos. 1 and 3.

Mr. P. M. Shah for the Defendant No.2.

Mr. Ajay Kandhar for the Defendant No.4.

Ms. Varsha Paradkar for the Defendant No.5.

CORAM : D. G. DESHPANDE,J.

DATE : 26TH OCTOBER 2004.

P.C. :

1. Heard learned counsel for the Plaintiff, Defendant Nos. 1 and 3, Defendant No.2, Defendant No.4 and Defendant No.5.

2. All the Advocates for all the parties agree that the disputes involved in this suit should be referred to the Bombay Stock Exchange as per the byelaw No. 248(C) of the Byelaws of the Bombay Stock Exchange and the Stock Exchange will decide all the issues involved in this case on merits

without going into technicalities, namely, jurisdictionand limitation of filing of the claim within six months. All the Advocates agree that they will give co-operation to the Stock Exchange in deciding the disputes and all the contentions and objections raised by the parties, excepting those relating to technicalities are kept open.

3. In view of the above, suit and the notice of motion both stands disposed of. Refund of court fees, if any, as per the rules.

4. All concerned parties to act on an ordinary copy of this order duly authenticated by the Court Associate.

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